

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DISTRICT COURT DEPARTMENT
CIVIL ACTION NO. 05-30183-MAP

EILEEN POLIZZI, FUND MANAGER OF)
THE TEAMSTERS LOCAL 404 HEALTH)
SERVICES AND INSURANCE PLAN)
)
Plaintiff)
)
v.)
)
N & B EXPRESS, INC. and)
JAMES CAPPELLI)
)
Defendants)
)
and)
)
BANK OF WESTERN MASSACHUSETTS)
)
Trustee)
_____)

SUGGESTION OF BANKRUPTCY

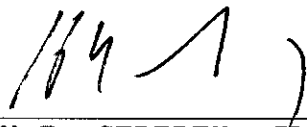
Now comes, N & B EXPRESS, INC., Defendant in the above-captioned action, and states that on September 2, 2005, it filed a Voluntary Petition pursuant to Chapter 11 of the Bankruptcy Code with the United States Bankruptcy Court for the District of Massachusetts being Case No. 05-46064-HJB.

WHEREFORE, the Defendants submit that the proceedings are stayed pursuant to 11 U.S.C. §362.

N & B EXPRESS, INC.

Dated: September 8, 2005

By: _____


HENRY E. GEBERTH, JR., ESQ.
(BBO No. 187940)
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THE TEAMSTERS LOCAL 404 HEALTH)
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Plaintiff)

v.)

N & B Express, Inc. and)
JAMES CAPPELLI)

Defendants)

and)

BANK OF WESTERN MASSACHUSETTS)

Trustee)

CERTIFICATE OF SERVICE

I, HENRY E. GEBERTH, JR., ESQ., of the law firm of HENDEL & COLLINS, P.C., 101 State Street, Springfield, Massachusetts, do hereby certify that I have served a copy of the within Suggestion of Bankruptcy upon the below-listed parties by mailing, first class, postage prepaid on this the 8th day of September, 2005.

Richard T. King, Esq.
OFFICE OF THE U.S. TRUSTEE
446 Main Street, 14th Floor
Worcester, MA 01608

N & B EXPRESS, INC.
Attn: Mr. James Cappelli
20 Industrial Drive
South Deerfield, MA 01373

EILEEN POLIZZI
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HENRY E. GEBERTH, JR., ESQ.